

REMARKS

At the outset, the Applicant would like to thank the Examiner for the interview conducted on December 30, 2003. In the interview, it was agreed that the invention, as defined by the amended claims, was patentably distinct from the teaching in the Tamura reference (U.S. Patent No. 5, 335,368).

Claims 11-12, 14, 17-20, are hereby amended; claims 1-10, 13-14, 21-39, and 42-70 are hereby canceled; and claims 71-77 are hereby added. Accordingly, claims 11-12, 15-20, and 71-77 are currently pending. Re-examination and reconsideration of the pending claims are respectfully requested.

In the Office Action, claims 1, 3-4, 7, 9-11, 15-16, 21, 26-36, 42-50, 52-67, and 70 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,335,368 to Tamura (hereinafter "Tamura") in view of U.S. Patent No. 6,211,830 to Monma et al. (hereinafter "Monma"); claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Tamura in view of U.S. Patent No. 6,438,392 to Toba (hereinafter "Toba"); claims 5, 8, 12-14, 17-20, 22-25, 37-39, 51, and 68-69 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tamura in view of U.S. Patent No. 6,219,532 to Tanaka et al. (hereinafter "Tanaka") and further in view of U.S. Patent No. 6,198,441 to Okabe et al. (hereinafter "Okabe"); claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Tamura in view of Monma and further in view of U.S. Patent No. 6,459,398 to Gureshnik et al. (hereinafter "Gureshnik"); and claims 40 and 41 are objected to as depending from a base claim.

Claims 1, 3-4, 7, 9-11, 15-16, 21, 26-36, 42-50, 52-67, and 70 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tamura in view of Monma. Of these, claims 11, and 14-16 are pending.

The rejection of claim 11 is respectfully traversed and reconsideration is requested. Claim 11, as amended, recites “means for storing a plurality of digital voltages wherein each digital voltage is associated with a corresponding radio telephone configuration, wherein the configuration is defined by the foldable casing position, the antenna position, and whether the radio telephone is in transmitting mode or receiving mode.” Neither Tamura or Monma, individually or in combination, teaches or suggests at least this feature of the claimed invention. Accordingly, claim 11, and claims 12, and 14-16, which depend from claim 11, are allowable over the references. Please see the Interview Summary sheet regarding the agreed patentable distinctions over Tamura.

Claims 5, 8, 12-14, 17-20, 22-25, 37-39, 51, and 68-69 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tamura in view of Tanaka and further in view of Okabe. Of these, claims 17-20 are pending.

The rejection of claim 17 is respectfully traversed and reconsideration is requested. Claim 17, as amended, recites “means for determining optimal antenna impedance values where each value corresponds with a different radio telephone configuration based on the position of the foldable casing and the antenna and whether the portable radio telephone is transmitting or receiving,” and “means for storing a voltage corresponding to each of the optimal antenna impedance values.” None of the cited references, Tamura, Tanaka, or Okabe, individually or in combination, teaches or suggests at least this feature of the claimed invention. Accordingly, claim 17, and claims 18-20, which depend from claim 17, are allowable over the cited references. We refer the Examiner to the Interview Summary sheet regarding the patentable distinctions over Tamura.

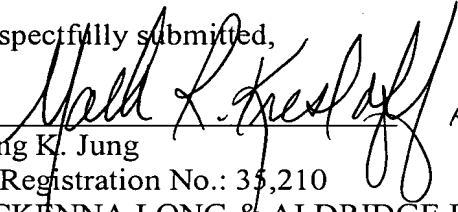
Applicants believe the foregoing amendments place the application in condition for allowance and early, favorable action is respectfully solicited.

If the Examiner deems that a telephone conversation would further the prosecution of this application, the Examiner is invited to call the undersigned at (202) 496-7500.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

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Respectfully submitted,

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